

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division

ELIZABETH SINES et al.,	)	
Plaintiffs,	)	Civil Action No. 3:17-cv-00072
	)	
v.	)	<u>ORDER</u>
	)	
JASON KESSLER et al.,	)	By: Joel C. Hoppe
Defendants.	)	United States Magistrate Judge

The Court is in receipt of an email from Dillon Hopper, Defendant Vanguard America's nonparty representative, seeking guidance about Defendant's discovery obligations in this case. In federal court, the litigants and their counsel are primarily responsible for conducting discovery, ideally "without the need for constant judicial intervention." *Poole ex. rel. Elliott v. Textron, Inc.*, 192 F.R.D. 494, 507 (D. Md. 2000) (quotation marks omitted). Accordingly, the Court instructs the parties and their nonparty representatives to communicate, or confer, before asking the Court to resolve a discovery question or dispute. *See* Fed. R. Civ. P. 26(c)(1). In conferring, the parties must provide enough information to allow each side to determine whether the responding party has access to the requested discovery material. If good-faith efforts to resolve the dispute fail, then the affected party or person may file a formal motion for the Court's determination. *See* Fed. R. Civ. P. 7(b), 26(c), 37(a).

IT IS SO ORDERED.

The Clerk shall send a copy of this Order to the parties and Mr. Hopper.

ENTER: January 10, 2020



Joel C. Hoppe  
U.S. Magistrate Judge